

# House File 808 - Reprinted

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON LOCAL  
GOVERNMENT

(SUCCESSOR TO HSB 213)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act concerning accountability requirements for entities,  
2 administrators, and boards created for joint exercise of  
3 governmental powers and providing effective dates.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 HF 808  
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1 1 Section 1. Section 28E.6, subsections 2 and 3, Code 2007,  
1 2 are amended to read as follows:  
1 3 2. ~~The entity created or the administrator or joint board~~  
1 4 ~~specified in the agreement shall be a governmental body for~~  
1 5 ~~purposes of chapter 21 and the entity created shall be a~~  
1 6 ~~government body for purposes of chapter 22 unless the entity~~  
1 7 ~~created or agreement includes public agencies from more than~~  
1 8 ~~one state.~~  
1 9 3. ~~a. All A summary of the proceedings of each regular,~~  
1 10 ~~adjourned, or special meeting of the joint board of the entity~~  
1 11 ~~created or the administrator or joint board specified in the~~  
1 12 ~~agreement, including the schedule of bills allowed, shall be~~  
1 13 ~~published after adjournment of the meeting in a one newspaper~~  
1 14 ~~of general circulation within the geographic area served by~~  
1 15 ~~the joint board of the entity created or the administrator or~~  
1 16 ~~joint board specified in the agreement. The summary of the~~  
1 17 ~~proceedings shall include the date, time, and place the~~  
1 18 ~~meeting was held, the members present, and the actions taken~~  
1 19 ~~at the meeting. The joint board of the entity created or the~~  
1 20 ~~administrator or joint board specified in the agreement shall~~  
1 21 ~~furnish a copy the summary of the proceedings to be published~~  
1 22 ~~submitted for publication to the newspaper within one week~~  
1 23 ~~twenty days following adjournment of the meeting. The~~  
1 24 ~~publication of the schedule of bills allowed shall include a~~  
1 25 ~~list of all salaries paid for services performed, showing the~~  
1 26 ~~name of the person or firm performing the service and the~~  
1 27 ~~amount paid. The publication of the schedule of bills allowed~~  
1 28 ~~may consolidate amounts paid to the same claimant if the~~  
1 29 ~~purpose of the individual bills is the same. However, the~~  
1 30 ~~names and gross salaries of persons regularly employed by the~~  
1 31 ~~entity created or the administrator or joint board specified~~  
1 32 ~~in the agreement shall only be published annually.~~  
1 33 ~~b. An entity created which had a cash balance, including~~  
1 34 ~~investments, of less than one hundred thousand dollars at the~~  
1 35 ~~end of the previous fiscal year and which had total~~  
2 1 ~~expenditures of less than one hundred thousand dollars during~~  
2 2 ~~the prior fiscal year is not required to publish as required~~  
2 3 ~~in paragraph "a".~~  
2 4 ~~c. This subsection shall not apply if the to an entity or~~  
2 5 ~~the administrator or joint board specified created in the an~~  
2 6 ~~agreement that includes public agencies from more than one~~  
2 7 ~~state or to a contract entered into pursuant to section~~  
2 8 ~~28E.12.~~  
2 9 Sec. 2. Section 28E.8, Code 2007, is amended to read as  
2 10 follows:  
2 11 28E.8 FILING AND RECORDING.  
2 12 1. a. Before entry into force, an agreement made pursuant  
2 13 to this chapter shall be filed, in an electronic format, with  
2 14 the secretary of state and recorded with the county recorder  
2 15 in a manner specified by the secretary of state. In counties  
2 16 in which the office of county recorder is abolished, the

2 17 agreement shall be recorded with the county auditor.  
2 18 b. Any amendment, modification, or notice of termination  
2 19 of an agreement made pursuant to this chapter shall be filed,  
2 20 in an electronic format, with the secretary of state within  
2 21 thirty days of the effective date of the amendment,  
2 22 modification, or termination, in a manner specified by the  
2 23 secretary of state.

2 24 2. a. In addition to subsection 1, each entity subject to  
2 25 section 28E.5 shall submit, in an electronic format, an  
2 26 initial report to the secretary of state as prescribed by the  
2 27 secretary of state. The report shall include, as applicable,  
2 28 the name of the entity created, the board members of the joint  
2 29 board created, whether the entity is exempt from the  
2 30 publication requirements of section 28E.6, subsection 3, a  
2 31 valid electronic mail address, and any additional information  
2 32 the secretary of state deems appropriate.

2 33 b. Following submission of an initial report pursuant to  
2 34 paragraph "a", each entity subject to section 28E.5 shall  
2 35 submit, in an electronic format, a biennial report to the  
3 1 secretary of state in a manner prescribed by the secretary of  
3 2 state by April 1 of every odd-numbered year beginning in  
3 3 calendar year 2009.

3 4 Sec. 3. JOINT EXERCISE OF GOVERNMENTAL POWERS == REPORTING  
3 5 REQUIREMENTS == TRANSITION PROVISION. Notwithstanding any  
3 6 provision of section 28E.8, subsection 2, as enacted by this  
3 7 Act, to the contrary, an entity created prior to January 1,  
3 8 2008, shall be required to submit an initial report to the  
3 9 secretary of state by July 1, 2008.

3 10 Sec. 4. EFFECTIVE DATE.  
3 11 1. The section of this Act amending section 28E.6, being  
3 12 deemed of immediate importance, takes effect upon enactment.

3 13 2. The sections of this Act amending section 28E.8 and  
3 14 enacting a transition provision take effect January 1, 2008.

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